

01-21-05

EPW 3624

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

1

Application Number

10/666,979

Filing Date

September 17, 2003

First Named Inventor

FRIEDMAN, et al.

Art Unit

3624

Examiner Name

TBA

Attorney Docket Number

36287-04402

ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/
Incomplete Application



Reply to Missing Parts
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a
Provisional Application



Power of Attorney, Revocation
Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board
of Appeals and Interferences



Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify
below):

Postcard; Fee Transmittal for FY 2005;
Check in the amount of \$120; Certificate of
Mailing w/Transmission Form; Petition for
Extension of Time (1 mon).

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Milbank, Tweed, Hadley & McCloy

Signature

Printed name

Chris L. Holm

Date

January 20, 2005

Reg. No.

39,227

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as required in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: [EL 968232206 US]

Signature

Teresita Santos

Typed or printed name

Teresita Santos

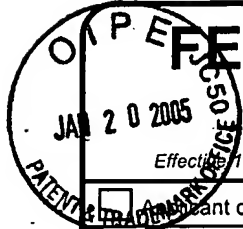
Date

January 20, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BEST AVAILABLE COPY



FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 120

Complete if Known

Application Number	10/666,979
Filing Date	September 17, 2003
First Named Inventor	FRIEDMAN, et al.
Examiner Name	TBA
Art Unit	3624
Attorney Docket No.	36287-04402

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
13-3250

Deposit Account Name
Milbank, Tweed

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent Claims	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	120
1252 430	2252 215	Extension for reply within second month	
1253 980	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 660	2503 330	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 120

SUBMITTED BY

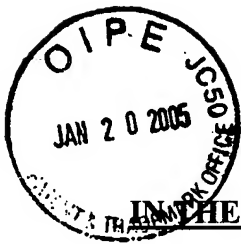
(Complete if applicable)

Name (Print/Type)	Chris L. Holm	Registration No. (Attorney/Agent)	39,227	Telephone	212-530-5000
Signature		Date	January 20, 2005		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT
Docket No.: 36287-04402

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Friedman et al.

Serial No. : 10/666,979 **Group Art Unit** : 3624

Filed : September 17, 2003 **Examiner** : TBA

For : ***METHOD AND SYSTEM FOR TRANSFER OF EMPLOYEE STOCK OPTIONS***

**RENEWED PETITION FOR STATUS UNDER
37 C.F.R. § 1.47(a)**

Mail Stop Petition
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On July 8, 2004, the undersigned filed a Petition for status under 37 C.F.R. § 1.47(a) for the above-entitled application, with the required petition fee. On August 11, 2004, the Office of Petitions dismissed the petition citing certain deficiencies in the petition, and set a two month period for reply. Accordingly, on September 29, 2004, applicants submit a Renewed Petition. On November 18, 2004, the Office of Petitions again dismissed the petition citing certain deficiencies in the petition and set a two month period for reply, to expire January 18, 2005. Accordingly, a petition for extension of time (one month) and associated fee is hereby submitted. In the event the Commissioner determines that an additional extension of time or associated fee is required, the undersigned hereby petitions for such extension of time, and authorizes the Commissioner to charge the fee to the Milbank Tweed deposit account #13,3250.

The undersigned hereby submits additional information as requested by the Office of Petitions and asks the Office of Petitions to grant the Petition for Status under 37 C.F.R. § 1.47 (a). As the required petition fee was previously submitted, applicants submit that no

additional petition fee is due. In the event the Commissioner determines that such a fee is due, the undersigned hereby authorizes the Commissioner to charge the Milbank Tweed deposit account #13,3250.

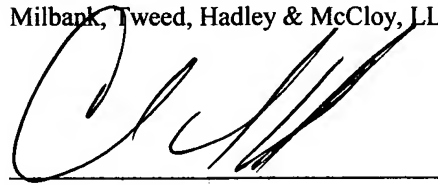
Included herewith are the following:

Updated Copy of Declaration, signed by Allen R. Friedman, Stephen E. Gray, David A. Seaman, and Benjamin B. Lopata. Unsigned inventors are: Mr. Stephen L. Roti and Ms. Kelly Cesare. The updated Declaration includes the citizenship information for Mr. Friedman and Mr. Lopata, as required by the Office of Petitions.

Declaration of Chris L. Holm, dated January 19, 2005, with attachment.

The undersigned respectfully submits that all deficiencies identified by the Office of Petitions are corrected. Status under 37 C.F.R. 1.47(a) is requested for this application.

Respectfully submitted,
Milbank, Tweed, Hadley & McCloy, LLP

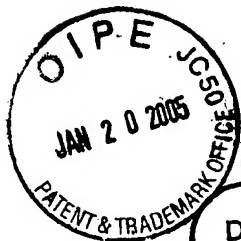


Chris L. Holm
Reg. No.: 39,227

January 19, 2005

Milbank, Tweed, Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, NY 10005-1413

(212) 530-5000 / (212) 530-5219 (facsimile)



**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted With Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	36287-04402
First Named Inventor	FRIEDMAN, et al.
COMPLETE IF KNOWN	
Application Number	10/666,979
Filing Date	September 17, 2003
Group Art Unit	TBA
Examiner Name	TBA

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND SYSTEM FOR TRANSFER OF EMPLOYEE STOCK OPTIONS

the specification of which (Title of the Invention)

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) [] as United States Application Number or PCT International

Application Number **10/666,979** and was amended on (MM/DD/YYYY) [] (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY) Country	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 4]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

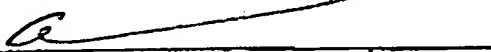
PTO/GB/01 (06-03)

Approved for use through 7/31/2003. OMB 0651-0002

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to:		<input type="checkbox"/> Customer Number or Bar Code Label	27171	OR	<input type="checkbox"/> Correspondence address below
Chris L. Holm, Esq.					
Name					
1 Chase Manhattan Plaza					
Address					
New York		NY		10005-1413	
City		State		ZIP	
USA		(212) 530-5000		(212) 530-5210	
Country		Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])			Family Name or Surname		
Allen R.			FRIEDMAN		
Inventor's Signature			Date		
			6/14/04		
Teaneck		NJ		USA	
Residence: City		State		Country	
315 Johnson Avenue		US		Citizenship	
Mailing Address					
Teaneck		NJ		07666	
City		State		Zip	
USA		Country			
NAME OF SECOND INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])			Family Name or Surname		
STEPHEN E.			GRAY		
Inventor's Signature			Date		
Madison			NJ		USA
Residence: City			State		Citizenship
20 Lawrence Rd.			US		
Mailing Address					
Madison		NJ		07940	
City		State		Zip	
USA		Country			

FROM CHASE LEGAL
FROM CHASE LEGAL

(TUE) 6.15'04 12:02/ST. 12:02/NO. 4860934976 P. 2
(MON) 6.14'04 12:51/ST. 12:50/NO. 4860934970 P. 4

PTO/3001 (06-03)
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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☐ Customer Number or Bar Code Label 27171 OR ☐ Correspondence address below

Name: Chris L. Mohr, Esq.
Address: 1 Chase Manhattan Place
City: New York State: NY ZIP: 10005-1413
Country: USA Telephone: (212) 530-6000 Fax: (212) 530-5210

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name: Allen R. Family Name: FRIEDMAN
(first and middle (if any)) or Surname
Inventor's Signature: Date:
Teaneck NJ USA
Residence: City State Country Citizenship
315 Johnson Avenue
Mailing Address
Teaneck NJ 07666 USA
City State Zip Country

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

Given Name: STEPHEN E. Family Name: GRAY
(first and middle (if any)) or Surname
Inventor's Signature: Stephen E. Gray Date: 6/15/04
Madison NJ USA
Residence: City State Country Citizenship
20 Lawrence Rd.
Mailing Address
Madison NJ 07940 USA
City State Zip Country

NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
STEPHEN L.		ROTI	
Inventor's Signature		Date	
Woodmere Residence: City		NY State	USA Country
33 Clubside Drive Mailing Address		US Citizenship	
Woodmere City		NY State	11508 Zip
		USA Country	
NAME OF FOURTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
DAVID A.		SEAMAN	
Inventor's Signature		Date	
<i>David A. Seaman</i>		June 14, 2004	
Short Hills Residence: City		NJ State	USA Country
28 Martindale Rd. Mailing Address		US Citizenship	
Short Hills City		NJ State	07078 Zip
		USA Country	
NAME OF FIFTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
BENJAMIN B.		LOPATA	
Inventor's Signature		Date	
Forest Hills Residence: City		NY State	USA Country
112-03 66th Avenue Mailing Address		US Citizenship	
Forest Hills City		NY State	11375 Zip
		USA Country	

NAME OF THIRD INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
STEPHEN L		ROTI	
Inventor's Signature		Date	
Woodmere		NY	USA
Residence: City		State	Country
33 Clubside Drive		US	
Mailing Address		Citizenship	
Woodmere		NY	11598
City		State	Zip
		USA	
		Country	
NAME OF FOURTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
DAVID A.		SEAMAN	
Inventor's Signature		Date	
Short Hills		NJ	USA
Residence: City		State	Country
28 Martindale Rd.		US	
Mailing Address		Citizenship	
Short Hills		NJ	07078
City		State	Zip
		USA	
		Country	
NAME OF FIFTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
BENJAMIN B.		LOPATA	
Inventor's Signature		Date	
		6/14/04	
Forest Hills		NY	USA
Residence: City		State	Country
112-03 68 th Avenue		US	
Mailing Address		Citizenship	
Forest Hills		NY	11375
City		State	Zip
		USA	
		Country	

NAME OF SIXTH INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name KELLY (first and middle [if any]) Cesare		Family Name CESARE or Surname	
		Date	
New York Residence: City	NY State	Country	United States Citizenship
c/o Mr. James Lynn Esq., 443 Park Avenue South, Suite 603 Mailing Address			
New York City	NY State NY	10016 Zip	USA Country
TM Additional Inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.			

**DECLARATION**

I, Chris L. Holm, do hereby state:

1. I am an associate with Milbank Tweed Hadley & McCloy LLP.
2. On September 17, 2003, I filed U.S. Patent Application Serial No. 10/666,979 ('the '979 application') on behalf of the named inventors and J.P. Morgan & Co. Incorporated.
3. On July 9, 2004, I filed a Notice to file Missing Parts and Petition for status under 37 C.F.R. § 1.47(a) ('the July 9, 2004 Response'), for the '979 application.
4. On September 29, 2004, I filed a Renewed Petition for status under 37 C.F.R. § 1.47(a) ('the September 29, 2004 Response'), for the '979 application.
5. After receiving a Decision from the Office of Petitions again dismissing the petition (mailed November 18, 2004) for the '979 application, I prepared and on November 23, 2004 mail a package to Mr. Stephen L. Roti by Certified Mail, Return Receipt Requested ('the November 23, 2004 package'). The package to Mr. Roti was mailed to the last known address of Mr. Roti (33 Curbside Drive, Woodmere, NY 11598) and included a copy of the '979 application, a declaration for signature by Mr. Roti, a power of attorney for signature by Mr. Roti and an assignment document for signature by Mr. Roti. (Copies of the cover letter to Mr. Roti and the Certified mail Receipt are attached as an exhibit).
6. On or about December 10, 2004, the U.S. Postal Service returned the November 23, 2004 package with an indication that the mail forwarding time for Roti at 22 Curbside Drive, Woodmere NY had expired and further indicating that a forwarding address was 265 Dolphin Dr. Woodmere, NY 11598.
7. On or about December 10, 2004, I prepared and mailed another package to Mr. Stephen L. Roti by Certified Mail, Return Receipt Requested ('the December 10, 2004 package'). The December 10, 2004 package was mailed to the address indicated by the U.S. Postal Service as a forwarding address for Roti (265 Dolphin Drive, Woodmere, NY 11598) and again included a copy of the '979 application, a declaration for signature by Mr. Roti, a power of attorney for

signature by Mr. Roti and an assignment document for signature by Mr. Roti.
(Copies of the December 10, 2004 Certified mail Receipt are attached as an exhibit).

8. We subsequently received a Return Receipt postcard, indicating that the December 10, 2004 package was delivered on December 13, 2004. (a copy of the return receipt postcard is attached as an exhibit)
9. To the best of my knowledge, the last known address of Mr. Roti is now 265 Dolphin Drive, Woodmere, NY 11598.
10. As of this filing date, I have not received any response or communication from Mr. Roti.
11. To my knowledge Mr. Roti has not executed a declaration or assignment for the '979 application, although diligent efforts were made to provide a copy of the '979 application to him for review and to have him execute such documents.
12. In view of the above facts, I hereby submit that the requirements for status under 37 C.F.R. § 1.47 with regard to Mr. Roti are satisfied.
13. I make this declaration under oath and without reservation.

_____ date

Chris L. Holm, Esq.

NY2:#4625166



MILBANK, TWEED, HADLEY & MCCLOY LLP

1 CHASE MANHATTAN PLAZA

NEW YORK, N.Y. 10005-1413

212-530-5000

FAX: 212-530-5219

Chris L. Holm

DIRECT DIAL NUMBER

212-530-5734

Fax: 212-822-5734

E-MAIL: cholm@milbank.com

FRANKFURT

49-69-7593-7170

FAX: 49-69-7593-8303

TOKYO

813-3504-1050

FAX: 813-3595-2790

HONG KONG

852-2971-4888

FAX: 852-2840-0792

SINGAPORE

65-6428-2400

FAX: 65-6428-2500

LOS ANGELES

213-892-4000

FAX: 213-629-5063

PALO ALTO

650-739-7000

FAX: 650-739-7100

WASHINGTON, D.C.

202-835-7500

FAX: 202-835-7586

LONDON

44-207-448-3000

FAX: 44-207-448-3029

November 23, 2004

**CONTAINS JP MORGAN CONFIDENTIAL AND PROPRIETARY INFORMATION
VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

Stephen L. Roti
33 Curbside Drive
Woodmere, NY 11598

Re: U.S. Patent Application for *METHOD AND SYSTEM FOR TRANSFER OF
EMPLOYEE STOCK OPTIONS*
File No. 36287-04402

Dear Mr. Roti:

We enclose herewith a copy of a patent application entitled *METHOD AND SYSTEM FOR TRANSFER OF EMPLOYEE STOCK OPTIONS*, which was filed with the U.S. Patent and Trademark Office on September 17, 2003. The enclosed patent application contains JP Morgan Chase & Co. confidential and proprietary information. Therefore, please limit any disclosure of the patent application to yourself.

Based on our initial investigation, it appears that you may have contributed to the invention that is claimed in the patent application. For that reason, we are forwarding a copy of the patent application for your review. If, after review of the patent application you believe you are an inventor, we ask that you sign and return to us the enclosed declaration, power of attorney and assignment. We will then arrange to file the executed documents with the U.S. Patent and Trademark Office.

Under the terms of your employment by JP Morgan Chase & Co., any ownership rights that you might have in the patent application or any patent that issues from the patent

November 23, 2004

- 2 -

application were transferred to JP Morgan Chase & Co. Providing a copy of the patent application for your review does not waive or change those ownership rights.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. L. Holm', written over the word 'Sincerely,'.

Chris L. Holm

Enclosures

Copies to:

Christopher E. Chalsen, Esq. (w/o encl.)

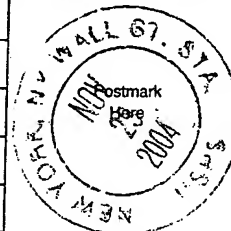
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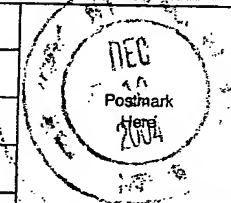
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